1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 PUGET SOUND SURGICAL CENTER P.S. 10 Plaintiff. NO. 2:17-cy-01190-JLR 11 VS. STIPULATED MOTION TO DISMISS 12 AETNA LIFE INSURANCE COMPANY. DEFENDANTS BECHTEL JACOBS AETNA, INC., AMTRAK HEALTH CARE COMPANY LLC HEALTH AND 13 PLAN, ANCHORAGE SCHOOL DISTRICT WELFARE PLAN AND ADOBE ACTIVE EMPLOYEE OPEN CHOICE PPO SYSTEMS, INC. GROUP WELFARE 14 MEDICAL PLAN, BECHTEL JACOBS **PLAN** COMPANY LLC HEALTH AND WELFARE PLAN, STATE OF ALASKA ALASKACARE 15 EMPLOYEE HEALTH PLAN, BANK OF 16 AMERICA HEALTH CARE PLAN, NORDSTROM, INC. CLASSIC PLAN, 17 STARBUCKS HEALTH CARE PLAN, COSTCO WHOLESALE HEALTH PLAN. SOUND HEALTH AND WELLNESS TRUST 18 PLAN, WESTCO HEALTH PLAN, 19 LOCKHEED MARTIN CORPORATION TOTAL HEALTH PLAN, and ADOBE 20 SYSTEMS, INC. GROUP WELFARE PLAN 21 Defendants. 22 **STIPULATION** 23 Plaintiff Puget Sound Surgical Center P.S. ("Plaintiff") and Defendants Aetna Life 24 Insurance Company; Aetna Inc. (collectively, "Aetna"); Amtrak Healthcare Plan; Bechtel 25 Jacobs Company LLC Health and Welfare Plan; Bank of America Health Care Plan; Nordstrom, 26 **GORDON REES SCULLY** -1 MANSUKHANI, LLP

701 5th Avenue, Suite 2100

Seattle, WA 98104 Telephone: (206) 695-5115

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Inc. Classic Plan; Starbucks Healthcare Plan; Costco Wholesale Health Plan; Lockheed Martin Corporation Total Health Plan; and Adobe Systems, Inc. Group Welfare Plan (collectively referred to herein as "Defendants") hereby stipulate pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) that Plaintiffs' claims against Defendants Bechtel Jacobs Company LLC Health and Welfare Plan and Defendant Adobe Systems, Inc. Group Welfare Plan are dismissed, with prejudice and without attorneys' fees or costs to any of the parties. Plaintiffs and Defendants stipulate and agree that this dismissal does not affect or in any way impact Plaintiffs' claims against the remaining Defendants.

## IT IS SO STIPULATED

RESPECTFULLY SUBMITTED AND DATED this 5th day of May, 2020.

## GORDON REES SCULLY MANSUKHANI, LLP

By: /s/ Matthew G. Kleiner
Sarah N. Turner, WSBA # 37748
Matthew G. Kleiner, Pro Hac Vice
Gordon Rees Scully Mansukhani, LLP
701 5th Avenue, Suite 2100
Seattle, WA 98104
Phone: (206) 695-5115
Fax: (206) 689-2822
sturner@grsm.com
mkleiner@grsm.com
Attorneys for Defendants

## AXELROD LLP

By: s/Robert J. Axelrod
Robert J. Axelrod (Pro Hac Vice)
830 Third Avenue, 5<sup>th</sup> Floor
New York, NY 10022
Tel.: 646.448.5263
rjaxelrod@axelrodllp.com
Attorney for Plaintiff

GORDON REES SCULLY MANSUKHANI, LLP

701 5th Avenue, Suite 2100 Seattle, WA 98104 Telephone: (206) 695-5115

**ORDER** 1 2 IT IS SO ORDERED. 3 DATED this 7th day of May, 2020. 4 5 6 Honorable Judge James L. Robart 7 8 Presented By and Approved as to Form and Presentation Waived; 9 GORDON REES SCULLY MANSUKHANI, LLP 10 /s/ Matthew G. Kleiner By: 11 Sarah N. Turner, WSBA # 37748 Matt G. Kleiner, Pro Hac Vice 12 Gordon Rees Scully Mansukhani, LLP 701 5th Avenue, Suite 2100 13 Seattle, WA 98104 Phone: (206) 695-5115 14 Fax: (206) 689-2822 sturner@grsm.com 15 mkleiner@grsm.com Attorneys for Defendants 16 17 AXELROD LLP 18 By: \_s/ Robert J. Axelrod\_ Robert J. Axelrod (Pro Hac Vice) 19 830 Third Avenue, 5<sup>th</sup> Floor New York, NY 10022 20 Tel.: 646.448.5263 rjaxelrod@axelrodllp.com 21 Attorney for Plaintiff 22 23 24 25 26

> GORDON REES SCULLY MANSUKHANI, LLP

701 5th Avenue, Suite 2100 Seattle, WA 98104 Telephone: (206) 695-5115

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